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# United States Senate

September 23, 2010

The Honorable Julius Genachowski, Chairman  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554-0005

Dear Chairman Genachowski:

I am writing regarding an issue of great importance when it comes to ensuring that my constituents and fellow citizens in Nebraska have access to vital health care resources.

Currently, the Federal Communications Commission is considering a petition filed by the Nebraska Public Service Commission (NPSC) to permanently "grandfather in" those rural health care providers who had previously qualified for universal service support prior to a Commission change in the definition of "rural" under the Rural Health Care Support (RHCS) mechanism. This new definition has excluded four health care providers in my home state of Nebraska who were previously deemed to be "rural." Those four providers are:

- Good Samaritan Health Systems in Kearney, Nebraska
- Fremont Area Medical Center in Fremont, Nebraska (linked to the University of Nebraska Medical Center)
- St. Francis Medical Center in Grand Island, Nebraska
- Faith Regional Health Services in Norfolk, Nebraska

As an extremely rural state, Nebraska has vast areas of sparsely populated communities relying heavily on broadband telehealth services. The grandfathering of eligible sites under the former rural definition is critical to the ongoing existence of Nebraska's Statewide Telehealth Network (NSTN); and the impact of a loss in eligibility would be significant, resulting in a loss of federal funding of approximately \$223,000 annually.

According to the NPSC, in 2009 the existence of the NSTN allowed for 1,600 clinical consultations for Nebraska health care patients. The network allowed these patients to forego the costs and inconvenience of traveling long distances to seek medical consultation from specialists in more urban areas, factors which often prevent patients from receiving needed care entirely. In addition, from the perspective of the health care provider, the NSTN saved Nebraska hospitals an estimated \$1.8 million in travel time and mileage.

Furthermore, in a *Notice of Proposed Rulemaking* concerning reforms of the RHCS, the Commission proposed to expand the definition of eligible health care providers and make other

*UCB*  
*Rural*  
*Health*  
*Support*  
*PI*  
*SE*  
*1509*

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changes designed to increase the utilization of the program. In this context, it is entirely appropriate to continue granting a relatively small amount of funding to those providers already offering critical telemedicine and telehealth services to rural patients and their families and doctors – individuals who have come to rely upon these services for receipt and delivery of rural health care.

I urge you to grant the petition to permanently grandfather in these Nebraska health care facilities so that they remain eligible for universal service support. Thank you for your consideration of this very important issue.

Sincerely,



E. Benjamin Nelson  
United States Senator

EBN:jdp

**E. BENJAMIN NELSON**  
NEBRASKA



# United States Senate

WASHINGTON, DC 20510-2708

## FAX MACHINE COVER SHEET

DATE: Sept. 23, 2010

Number of Pages  
(Including Cover): 3

FACSIMILE MESSAGE TO: The Honorable Julius Genachowski

ORGANIZATION: Federal Communications Commission

FACSIMILE NUMBER OF RECEIVER: 202 418-2806

FACSIMILE MESSAGE FROM: U.S. Sen. Ben Nelson

MESSAGE: In RE: Telehealth

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OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

November 16, 2010

The Honorable E. Benjamin Nelson  
United States Senate  
720 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Nelson:

Thank you for your letter supporting the Nebraska Public Service Commission petition. Your letter will be entered into the record of that proceeding.

The Commission is committed to the goal of providing the important benefits of the rural health care program to eligible health care providers. The Nebraska petition is under review and the Commission is working to conclude its review as quickly and equitably as possible.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to be "J. Genachowski", is written over the printed name. The signature is stylized with a large, sweeping initial "J" and a horizontal line extending to the right.

Julius Genachowski